

American people; yet we have allowed this act to expire. A bipartisan bill has passed in the Senate; yet we in the House are denied democracy and the opportunity to have the people vote for this important legislation that will protect Americans.

I applied for FISA warrants in the Justice Department. This statute was never intended to apply to foreign terrorists in foreign countries. In fact, what we are doing is extending constitutional protections to foreign terrorists like Osama bin Laden. This turns the statute on its head; yet we have a majority leader who says there's no urgency. The chairman of Intelligence says we'll be just fine. It reminds me of an FBI agent who warned before 9/11, frustrated about the intelligence gap, "Someday someone will die. The public will not understand why we were not more effective at throwing every resource we had at certain problems, especially since the biggest threat to us now is Osama bin Laden and he is getting the most protection."

I urge this Congress, this House, and the Democratic leadership to pass the Senate bipartisan bill and make the Protect America Act permanent.

#### FISA

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, FISA is a major issue. Great nations in history have failed and been defeated by becoming soft from within. I see dangers of doing that here.

I know that my colleagues across the aisle, the 170 or so who did not support FISA being passed into law last August, are very compassionate people. I've seen the hurt in your eyes. I've seen how it troubles your soul when you see people hurting and killed and maimed. What we're asking here is to do the intelligence and allow the intelligence community to protect us so we don't have to experience the horror of seeing Americans killed and maimed.

We're losing valuable intelligence every day that we do not pass this important, valuable bill. The proposal was made, let's just keep extending it a week at a time. You cannot do extensive intelligence on a week-to-week basis. We cannot put our country at risk. This House has other things planned today other than this critical issue that could be a nation-saving measure.

#### MOTION TO ADJOURN

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. CAPUANO). The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GOHMERT. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 20, nays 364, not voting 44, as follows:

[Roll No. 111]

#### YEAS—20

Bishop (UT)	Johnson (IL)	Renzi
Calvert	King (IA)	Shuster
Coble	Marchant	Tancredo
Davis, David	McCauley (TX)	Whitfield (KY)
Doolittle	Pearce	Wilson (SC)
Gohmert	Radanovich	Young (AK)
Gordon	Reichert	

#### NAYS—364

Abercrombie	Courtney	Hastings (WA)
Ackerman	Cramer	Hayes
Aderholt	Crenshaw	Heller
Akin	Crowley	Hensarling
Alexander	Cubin	Herger
Altmire	Cuellar	Herseth Sandlin
Andrews	Culberson	Hill
Arcuri	Cummings	Hinchey
Baca	Davis (AL)	Hinojosa
Bachmann	Davis (CA)	Hirono
Bachus	Davis (IL)	Hobson
Baird	Davis (KY)	Hodes
Baldwin	Davis, Tom	Hoekstra
Barrett (SC)	Deal (GA)	Holden
Barrow	DeFazio	Holt
Bartlett (MD)	DeGette	Honda
Barton (TX)	DeLauro	Hoyer
Becerra	Dent	Hulshof
Berkley	Diaz-Balart, L.	Hunter
Berman	Diaz-Balart, M.	Inglis (SC)
Berry	Dicks	Inslee
Biggert	Dingell	Israel
Bilbray	Doggett	Issa
Bilirakis	Donnelly	Jackson (IL)
Bishop (GA)	Doyle	Jackson-Lee
Bishop (NY)	Dreier	(TX)
Blumenauer	Duncan	Jefferson
Blunt	Edwards	Johnson (GA)
Boehner	Ehlers	Johnson, E. B.
Bonner	Ellison	Johnson, Sam
Bono Mack	Ellsworth	Jones (NC)
Boozman	Emanuel	Jordan
Boren	Emerson	Kagen
Boswell	Engel	Kanjorski
Boucher	English (PA)	Kaptur
Boyd (FL)	Eshoo	Keller
Boyda (KS)	Etheridge	Kennedy
Brady (PA)	Everett	Kildee
Brady (TX)	Fallin	Kind
Braley (IA)	Farr	King (NY)
Broun (GA)	Fattah	Kingston
Brown (SC)	Feeney	Kirk
Brown, Corrine	Ferguson	Klein (FL)
Buchanan	Filner	Knollenberg
Burgess	Flake	Kucinich
Burton (IN)	Forbes	Kuhl (NY)
Butterfield	Fortenberry	Lamborn
Buyer	Fossella	Lampson
Camp (MI)	Fox	Langevin
Campbell (CA)	Frank (MA)	Larsen (WA)
Cannon	Franks (AZ)	Larson (CT)
Cantor	Frelinghuysen	Latham
Capito	Gallely	LaTourette
Capps	Garrett (NJ)	Latta
Capuano	Gerlach	Lee
Cardoza	Giffords	Levin
Carnahan	Gilchrest	Lewis (CA)
Carney	Gillibrand	Lewis (GA)
Carter	Gingrey	Lewis (KY)
Castle	Gonzalez	Linder
Castor	Goode	Lipinski
Chabot	Goodlatte	LoBiondo
Chandler	Granger	Loebach
Clarke	Graves	Lofgren, Zoe
Clay	Green, Al	Lowey
Cleaver	Green, Gene	Lucas
Clyburn	Grijalva	Lungren, Daniel
Cohen	Gutierrez	E.
Cole (OK)	Hall (NY)	Lynch
Conaway	Hall (TX)	Mack
Conyers	Hare	Maloney (NY)
Cooper	Harman	Manzullo
Costa	Hastings (FL)	Matheson
Costello		Matsui

McCarthy (CA)	Pitts	Slaughter
McCarthy (NY)	Platts	Smith (NE)
McCaul (MN)	Pomeroy	Smith (NJ)
McCotter	Porter	Smith (TX)
McCrery	Price (GA)	Snyder
McDermott	Price (NC)	Solis
McGovern	Putnam	Space
McHenry	Ramstad	Spratt
McHugh	Regula	Stearns
McIntyre	Rehberg	Stupak
McKeon	Reyes	Sullivan
McMorris	Reynolds	Sutton
Rodgers	Richardson	Tanner
McNerney	Rodriguez	Tauscher
McNulty	Rogers (AL)	Taylor
Meeks (NY)	Rogers (KY)	Terry
Melancon	Rogers (MI)	Thompson (CA)
Mica	Roskam	Thornberry
Michaud	Ross	Tiahrt
Miller (FL)	Rothman	Tiberi
Miller (MI)	Roybal-Allard	Tierney
Miller (NC)	Ruppersberger	Towns
Miller, Gary	Ryan (OH)	Tsongas
Miller, George	Ryan (WI)	Turner
Mollohan	Salazar	Udall (NM)
Moore (KS)	Sali	Upton
Moore (WI)	Sánchez, Linda	Van Hollen
Moran (KS)	T.	Velázquez
Moran (VA)	Sanchez, Loretta	Visclosky
Murphy (CT)	Sarbanes	Walberg
Murphy, Patrick	Saxton	Walden (OR)
Murphy, Tim	Schakowsky	Walsh (NY)
Murtha	Schmidt	Walz (MN)
Musgrave	Schwartz	Wamp
Nadler	Scott (GA)	Wasserman
Napolitano	Scott (VA)	Schultz
Neugebauer	Sensenbrenner	Waters
Nunes	Serrano	Watson
Olver	Sessions	Watt
Ortiz	Sestak	Waxman
Pallone	Shadegg	Welch (VT)
Pascarella	Shays	Weller
Pastor	Shea-Porter	Westmoreland
Paul	Sherman	Wilson (NM)
Payne	Shimkus	Wilson (OH)
Perlmutter	Shuler	Wittman (VA)
Peterson (MN)	Simpson	Wolf
Petri	Sires	Wu
Pickering	Skelton	Yarmuth

#### NOT VOTING—44

Allen	Markey	Ros-Lehtinen
Bean	Marshall	Royce
Blackburn	Meek (FL)	Rush
Boustany	Mitchell	Schiff
Brown-Waite,	Myrick	Smith (WA)
Ginny	Neal (MA)	Souder
Davis, Lincoln	Oberstar	Stark
Drake	Obey	Thompson (MS)
Higgins	Pence	Udall (CO)
Hooley	Peterson (PA)	Weiner
Jones (OH)	Poe	Weldon (FL)
Kilpatrick	Pryce (OH)	Wexler
Kline (MN)	Rahall	Woolsey
LaHood	Rangel	Wynn
Mahoney (FL)	Rohrabacher	Young (FL)

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Messrs. ROSKAM, BROUN of Georgia, Mrs. EMERSON, Messrs. ISSA, CARTER, MATHESON, JORDAN of Ohio, McHUGH, NUNES, MELANCON, SULLIVAN, ROGERS of Kentucky, KINGSTON, SMITH of Texas, RUPERSBERGER, GINGREY, WAMP, HASTINGS of Florida, AKIN, SHIMKUS, BARTLETT of Maryland, BURTON of Indiana, Ms. ESHOO, Messrs. FLAKE and TOM DAVIS of Virginia changed their vote from "yea" to "nay."

Mr. MARCHANT changed his vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. MYRICK. Madam Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Rollcall vote 111, on motion to adjourn, I would have voted "nay."